

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

Snik LLC,

Plaintiff,

v.

**Samsung Electronics Co., Ltd.; and
Samsung Electronics America, Inc.,**

Defendants.

Civil Action No. 2:19-cv-00387-JRG

JOINT MOTION FOR EXTENSION AND AMENDMENTS TO THE DCO

Plaintiff Snik LLC (“Snik”) and Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (together, “Samsung”) jointly request a brief extension of all remaining dates in the current Docket Control Order (Dkt. No. 52). Good cause exists as Snik seeks to add a new product to the case. In particular, Snik seeks to add the Galaxy Buds Live, which Snik contends was only available in the U.S. market in August 2020. Snik conferred with Samsung and the Parties agreed that if the Court grants a 90 day extension to all dates to allow the Parties to, *e.g.*, conduct discovery and prepare for trial concerning this product (*i.e.*, ameliorate any asserted prejudice resulting from the inclusion of the Buds Live as an accused product in this action), Samsung would not oppose a motion by Snik to amend its infringement contentions to add the Buds Live to the case.

Accordingly, the Parties jointly move for an extension of time as set forth below:

Current Date	Proposed Date	Event
5/10/21	8/9/21	*Jury Selection – 9:00 a.m. in Marshall, Texas

Current Date	Proposed Date	Event
4/5/21	7/6/21	* If a juror questionnaire is to be used, an editable (in Microsoft Word format) questionnaire shall be jointly submitted to the Deputy Clerk in Charge by this date.
3/29/21	6/28/21	*Pretrial Conference – 9:00 a.m. in Marshall, Texas before Judge Rodney Gilstrap
3/24/21	6/22/21	*Notify Court of Agreements Reached During Meet and Confer The parties are ordered to meet and confer on any outstanding objections or motions <i>in limine</i> . The parties shall advise the Court of any agreements reached no later than 1:00 p.m. three (3) business days before the pretrial conference.
3/18/21	6/16/21	*File Joint Pretrial Order, Joint Proposed Jury Instructions, Joint Proposed Verdict Form, Responses to Motions <i>in Limine</i> , Updated Exhibit Lists, Updated Witness Lists, and Updated Deposition Designations
3/15/21	6/14/21	*File Notice of Request for Daily Transcript or Real Time Reporting. If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Shelly Holmes, at shelly_holmes@txed.uscourts.gov .
3/8/21	6/7/21	File Motions <i>in Limine</i> The parties shall limit their motions <i>in limine</i> to issues that if improperly introduced at trial would be so prejudicial that the Court could not alleviate the prejudice by giving appropriate instructions to the jury.
3/8/21	6/7/21	Serve Objections to Rebuttal Pretrial Disclosures
3/1/21	6/1/21	Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures
2/16/21	5/17/21	Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof
2/8/21	5/10/21	*Response to Dispositive Motions (including <i>Daubert</i> Motions). Responses to dispositive motions that were filed <u>prior</u> to the dispositive motion deadline, including <i>Daubert</i> Motions, shall be due in accordance with Local Rule CV-7(e), not to exceed the deadline as set forth in this Docket Control Order. Motions for

Current Date	Proposed Date	Event
		Summary Judgment shall comply with Local Rule CV-56.
1/25/21	4/26/21	*File Motions to Strike Expert Testimony (including <i>Daubert</i> Motions) No motion to strike expert testimony (including a <i>Daubert</i> motion) may be filed after this date without leave of the Court.
1/25/21	4/26/21	*File Dispositive Motions No dispositive motion may be filed after this date without leave of the Court. Motions shall comply with Local Rule CV-56 and Local Rule CV-7. <u>Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.</u>
1/19/21	4/19/21	Deadline to Complete Expert Discovery
1/6/21	4/6/21	Serve Disclosures for Rebuttal Expert Witnesses
12/10/20	3/10/21	Deadline to Complete Fact Discovery and File Motions to Compel Discovery
12/10/20	3/10/21	Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof
11/13/20	2/11/21	Comply with P.R. 3-7 (Opinion of Counsel Defenses)

A proposed order is submitted herewith.

Dated: November 6, 2020

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*Attorneys for Defendants Samsung Electronics Co.,
Ltd. and Samsung Electronics America, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on November 6, 2020, I electronically filed the foregoing JOINT MOTION FOR EXTENSION AND AMENDMENTS TO THE DCO with the Clerk of the Court for the Eastern District of Texas using the ECF System which will send notification to the registered participants of the ECF System as listed on the Court's Notice of Electronic Filing.

/s/ John S. Kyle
John S. Kyle